

State Water Resources Control Board

Division of Drinking Water

July 20, 2018

System No. 5403073

Ms. Debra Frank, Treasurer
Slate Mountain Home Owners Association
P.O. Box 727
Springville, CA 93265

COMPLIANCE ORDER NO. 03-24-18R-001

VIOLATION OF HEALTH AND SAFETY CODE SECTIONS 116525 and 116555(a)(3) AND VIOLATION OF CODE OF REGULATIONS TITLE 22 SECTION 64652(a)

Enclosed is Compliance Order No. 03-24-18R-001 (hereinafter "Order") issued to the Slate Mountain Home Owners Association (hereinafter "Water System") public water system. **Please note there are legally enforceable deadlines associated with this Order starting on page 3 of the Order.**

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board") hourly rate for the time spent on issuing this Order. California Health and Safety Code (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with an order. At this time, the State Water Board has spent approximately 1.0 hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m.

Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact Tulare District staff at (559) 447-3300 or by email at dwpdist24@waterboards.ca.gov.

Sincerely,



Chad Fischer, P.E.
Senior Sanitary Engineer, Tulare District
SOUTHERN CALIFORNIA BRANCH
DRINKING WATER FIELD OPERATIONS

Certified Mail No. 7018 0040 0000 3159 6714

cc: Tulare County Environmental Health Department
Mr. Kirk Klemcke, Contract Operator (625 Legar Drive, Springville, CA 93265)

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2
3 STATE OF CALIFORNIA
4 STATE WATER RESOURCES CONTROL BOARD
5 DIVISION OF DRINKING WATER
6

7 **Name of Public Water System:** Slate Mountain Home Owners Association

8 **Water System No:** 5403073

9
10 **Attention:** Ms. Debra Frank, Treasurer
11 Slate Mountain Home Owners Association
12 P.O. Box 727
13 Springville, CA 93265
14

15 **Issued:** July 20, 2018
16

17 **COMPLIANCE ORDER FOR NONCOMPLIANCE**
18 **HEALTH AND SAFETY CODE SECTION 116555(a)(3) VIOLATION**
19 **CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64652(a)**
20 **July 2018**
21

22 The California Health and Safety Code (hereinafter "CHSC"), Section 116655 authorizes the
23 State Water Resources Control Board (hereinafter "State Board") to issue a compliance order
24 to a public water system for violations or threatened violations of the California Safe Drinking
25 Water Act, (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270)
26 (hereinafter "California SDWA"), or any regulation, standard, permit, or order issued or
27 adopted thereunder.
28

1 The State Board, acting by and through its Division of Drinking Water (hereinafter "Division")
2 and the Deputy Director for the Division, hereby issues this compliance order (hereinafter
3 "Order") to the Slate Mountain Home Owners Association (hereinafter "Water System") for
4 failure to comply with CHSC Sections 116555(a)(3) and 116525, and Title 22, California Code
5 of Regulations (hereinafter "CCR"), Section 64652(a).

6
7 A copy of the applicable statutes and regulations is included in Appendix 1, which is attached
8 hereto and incorporated herein by this reference.

9
10 **STATEMENT OF FACTS**

11 The Water System is classified as a transient noncommunity public water system with a
12 population of 41 persons served through 41 service connections which are primarily vacation
13 homes. The Slate Mountain Home Owners Association is operating under a Domestic Water
14 Supply Permit issued by the Tulare County Environmental Health Department. The Division
15 is in process of evaluating the current permit and revising the permit for issuance to the Water
16 System.

17
18 CHSC, Section 116555(a)(3) requires all public water systems to provide a reliable and
19 adequate supply of pure, wholesome, healthful, and potable water as defined in CHSC,
20 Section 116275(c).

21
22 The source of domestic water supply for the Water System is Bear Creek. Raw water is piped
23 from Bear Creek into a detention pond filled with media. Water then flows to a clearwell where
24 it is disinfected with sodium hypochlorite.

25
26 The source is surface water and requires filtration and disinfection in accordance with
27 Sections 64650 through 64666 of the California Code of Regulations (CCR), Title 22, Surface

1 Water Treatment Regulations (SWTR). Currently, the Water System disinfects the water
2 using sodium hypochlorite which provides a treatment barrier, but is not sufficient treatment
3 for surface water.

4
5 CHSC, Section 116555 (a)(3) specifies that any person who owns a public water system shall
6 ensure that the system provides a reliable and adequate supply of pure, wholesome,
7 healthful, and potable water. Title 22, CCR, SWTR, Section 64652(a) requires water systems
8 with surface water sources to have multi-barrier treatment sufficient to achieve 99.9 percent
9 (3-log) reduction of *Giardia lamblia* through filtration and disinfection, 99.99 percent (4-log)
10 reduction of viruses through filtration and disinfection, and 99 percent (2-log) removal of
11 *Cryptosporidium* through filtration. As of the date of this Order, the Slate Mountain Home
12 Owners Association does not have adequate multibarrier surface water treatment installed
13 for the Water System. The Water System is currently providing a copy of the Boil Water
14 Notice to its customers on a monthly frequency.

15 16 DETERMINATIONS

17 The Division has determined that the Slate Mountain Home Owners Association is violating
18 the following:

- 19
20 1. CHSC, Section 116555 (a)(3) in that the Water System does not have sufficient treatment
21 to provide a reliable and adequate supply of pure, wholesome, healthful, and potable
22 water.
- 23
24 2. Title 22, CCR, SWTR, Section 64652 (a) in that the Water System does not have the
25 necessary multibarrier treatment to achieve 99.9 percent reduction of *Giardia lamblia*,
26 99.99 percent reduction of viruses, and 99 percent removal of *Cryptosporidium*.

27 28 DIRECTIVES

To ensure that the water supplied by the Water System is at all times safe, wholesome, healthful, and potable, the Water System is hereby directed to take the following actions:

1. On or before **July 20, 2021**, comply with CCR Title 22, Section 64652(a) and with CHSC Sections 116555(a)(3) and 116525.
2. Commencing on the date of service of this Order, conduct monthly public notification to inform customers of the unsafe water. This notification must be conducted in accordance with Appendix 3, hereto, and Section 64463.4, Title 22 of the CCR. The Water System shall provide **monthly** notification to its residents, visitors, staff, and all customers by mail or direct delivery. The notices must include language that the Division is advising all customers to boil their water before using it for drinking or cooking, or to use bottled water. The Water System must use the Division approved notification – the Boil Water Notice – which is included with this Order as Appendix 2. The Water System shall also post copies of the Boil Water Notice in conspicuous public locations within the area served by the water system, including all businesses. These notices must remain posted until the Division issues the Water System written approval to cease notification.
3. Commencing on the date of service of this Order, submit proof of each monthly public notification conducted in compliance with Directive No. 3, herein above. Proof must be submitted to the Division within 10 days following each notification, using the form provided with this Order, Appendix 3.
4. Prepare for State Water Board approval, a Corrective Action Plan, identifying improvements to the water system designed to correct the water quality problems identified as noncompliance with the Surface Water Treatment Rule and ensure that

1 the Water System delivers water to consumers that meets primary drinking water
2 standards. The plan shall include a time schedule for completion of each of the phases
3 of the project such as design, construction, and startup, and a date as of which the
4 Water System will be in compliance with the Surface Water Treatment Rule, which date
5 shall be no later than **July 20, 2021**.

- 6
- 7 5. On or before **October 1, 2018**, submit and present the Corrective Action Plan required
8 under Directive No. 5 above, to the State Water Board's office located at:

9
10 SWRCB – Division of Drinking Water
11 265 W. Bullard Ave, Suite 101
12 Fresno, CA 93704
13

- 14 6. Perform the State Water Board approved Corrective Action Plan, and each and every
15 element of said plan, according to the time schedule set forth therein.

- 16
- 17 7. On or before **October 20, 2018**, and every three months thereafter, submit a report to
18 the State Water Board in the form provided as Appendix 4 showing actions taken during
19 the previous quarter (calendar three months) to comply with the Corrective Action Plan.

- 20
- 21 8. Not later than ten (10) days following **July 20, 2021**, demonstrate to the State Water
22 Board that the water delivered by the Water System complies with the Surface Water
23 Treatment Rule.

- 24
- 25 9. Notify the State Water Board in writing no later than five (5) days prior to the deadline
26 for performance of any Directive set forth herein if the Water System anticipates it will
27 not timely meet such performance deadline.

1 10. By **August 20, 2018**, complete and return to the State Water Board the "Notification of
2 Receipt" form attached to this Order as Appendix 5. Completion of this form confirms
3 that the Water System has received this Order and understands that it contains legally
4 enforceable directives with due dates.

5
6 All submittals, with exception of analytical results, required by this Order shall be electronically
7 submitted to the State Water Board at the following address. The subject line for all electronic
8 submittals corresponding to this Order shall include the following information: Water System
9 name and number, compliance order number and title of the document being submitted.

10
11 Chad Fischer, P.E.

12 dwpdist24@waterboards.ca.gov
13

14 The State Water Board reserves the right to make modifications to this Order as it may deem
15 necessary to protect public health and safety. Such modifications may be issued as
16 amendments to this Order and shall be effective upon issuance.

17
18 Nothing in this Order relieves the Water System of its obligation to meet the requirements of
19 the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section
20 116270), or any regulation, standard, permit or order issued or adopted thereunder.

21
22 **PARTIES BOUND**

23 This Order shall apply to and be binding upon the Water System, its owners, shareholders,
24 officers, directors, agents, employees, contractors, successors, and assignees.

25
26 **SEVERABILITY**

1 The directives of this Order are severable, and the Water System shall comply with each and
2 every provision thereof notwithstanding the effectiveness of any provision.

3
4 **FURTHER ENFORCEMENT ACTION**

5 The California SDWA authorizes the State Water Board to: issue a citation or order with
6 assessment of administrative penalties to a public water system for violation or continued
7 violation of the requirements of the California SDWA or any regulation, permit, standard,
8 citation, or order issued or adopted thereunder including, but not limited to, failure to correct a
9 violation identified in a citation or compliance order. The California SDWA also authorizes the
10 State Water Board to take action to suspend or revoke a permit that has been issued to a public
11 water system if the public water system has violated applicable law or regulations or has failed
12 to comply with an order of the State Water Board, and to petition the superior court to take
13 various enforcement measures against a public water system that has failed to comply with an
14 order of the State Water Board. The State Water Board does not waive any further enforcement
15 action by issuance of this Order.

16
17
18 

19 Carl L. Carlucci, P.E., Chief
20 Central California Section
21 State Water Resources Control Board
22 Division of Drinking Water

23
24
25 7/20/2018
26 Date

27 Appendices (5):

- 28 1. Applicable Statutes and Regulations
29 2. Notification Template – Boil Water Notice
30 3. Certification of Completion of Public Notification
31 4. Quarterly Progress Report
32 5. Notification of Receipt
33



34 Certified Mail No. 7018 0040 0000 3159 6714

**APPENDIX 1: APPLICABLE STATUTES AND REGULATIONS FOR
COMPLIANCE ORDER NO. 03-24-18R-001
Surface Water Treatment Rule Violation**

NOTE: The following language is provided for the convenience of the recipient, and cannot be relied upon as the State of California's representation of the law. The published codes are the only official representation of the law. Regulations related to drinking water are in Titles 22 and 17 of the California Code of Regulations. Statutes related to drinking water are in the Health & Safety Code, the Water Code, and other codes.

California Health and Safety Code (CHSC):

Section 116271. Transition of CDPH duties to State Board states in relevant part:

- (a) The state board succeeds to and is vested with all of the authority, duties, powers, purposes, functions, responsibilities, and jurisdiction of the State Department of Public Health, its predecessors, and its director for purposes of all of the following:
- (1) The Environmental Laboratory Accreditation Act (Article 3 (commencing with Section 100825) of Chapter 4 of Part 1 of Division 101).
 - (2) Article 3 (commencing with Section 106875) of Chapter 4 of Part 1.
 - (3) Article 1 (commencing with Section 115825) of Chapter 5 of Part 10.
 - (4) This chapter and the Safe Drinking Water State Revolving Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760)).
 - (5) Article 2 (commencing with Section 116800), Article 3 (commencing with Section 116825), and Article 4 (commencing with Section 116875) of Chapter 5.
 - (6) Chapter 7 (commencing with Section 116975).
 - (7) The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code).
 - (8) The Water Recycling Law (Chapter 7 (commencing with Section 13500) of Division 7 of the Water Code).
 - (9) Chapter 7.3 (commencing with Section 13560) of Division 7 of the Water Code.
 - (10) The California Safe Drinking Water Bond Law of 1976 (Chapter 10.5 (commencing with Section 13850) of Division 7 of the Water Code).
 - (11) Wholesale Regional Water System Security and Reliability Act (Division 20.5 (commencing with Section 73500) of the Water Code).
 - (12) Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Division 26.5 (commencing with Section 79500) of the Water Code).
- (b) The state board shall maintain a drinking water program and carry out the duties, responsibilities, and functions described in this section. Statutory reference to "department," "state department," or "director" regarding a function transferred to the state board shall refer to the state board. This section does not impair the authority of a local health officer to enforce this chapter or a county's election not to enforce this chapter, as provided in Section 116500...
- (k)
- (1) The state board shall appoint a deputy director who reports to the executive director to oversee the issuance and enforcement of public water system permits and other duties as appropriate. The deputy director shall have public health expertise.
 - (2) The deputy director is delegated the state board's authority to provide notice, approve notice content, approve emergency notification plans, and take other action pursuant to Article 5 (commencing with Section 116450), to issue, renew, reissue, revise, amend, or deny any public water system permits pursuant to Article 7 (commencing with Section 116525), to suspend or revoke any public water system permit pursuant to Article 8 (commencing with Section 116625), and to issue citations, assess penalties, or issue orders pursuant to Article 9 (commencing with Section 116650). Decisions and actions of the deputy director taken pursuant to Article 5 (commencing with Section 116450) or Article 7 (commencing with Section 116525) are deemed decisions and actions taken by the state board, but are not subject to reconsideration by the state board except as provided in Section 116540. Decisions and actions of the deputy director taken pursuant to Article 8 (commencing with Section 116625) and Article 9 (commencing with Section 116650) are deemed decisions and actions taken by the state board, but any aggrieved person may petition the state board for reconsideration of the decision or action. This subdivision is not a limitation on the state board's authority to delegate any other powers and duties.

Section 116275. Definitions states in relevant part:

- (c) "Primary drinking water standards" means:
- (1) Maximum levels of contaminants that, in the judgment of the state board, may have an adverse effect on the health of persons.
 - (2) Specific treatment techniques adopted by the state board in lieu of maximum contaminant levels pursuant to subdivision (j) of Section 116365.
 - (3) The monitoring and reporting requirements as specified in regulations adopted by the state board that pertain to maximum contaminant levels.

Section 116555. Operational requirements states in relevant part:

- (a) Any person who owns a public water system shall ensure that the system does all of the following:
- (1) Complies with primary and secondary drinking water standards.

- (2) Will not be subject to backflow under normal operating conditions.
- (3) Provides a reliable and adequate supply of pure, wholesome, healthful, and potable water.

Section 116577. Enforcement fee states:

(a) Each public water system shall reimburse the state board for actual costs incurred by the state board for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or a citation.
- (2) Preparing and issuing public notification.
- (3) Conducting a hearing pursuant to Section 116625.

(b) The state board shall submit an invoice for these enforcement costs to the public water system that requires payment before September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the state board. The costs set forth in the invoice shall not exceed the total actual costs to the state board of enforcement activities specified in this section.

(c) Notwithstanding the reimbursement of enforcement costs of the local primacy agency pursuant to subdivision (a) of Section 116595 by a public water system under the jurisdiction of the local primacy agency, a public water system shall also reimburse enforcement costs, if any, incurred by the state board pursuant to this section.

(d) "Enforcement costs," as used in this section, does not include "litigation costs" pursuant to Section 116585.

(e) The state board shall not be entitled to enforcement costs pursuant to this section if a court determines that enforcement activities were in error.

(f) Payment of the invoice shall be made within 90 days of the date of the invoice. Failure to pay the invoice within 90 days shall result in a 10-percent late penalty that shall be paid in addition to the invoiced amount.

(g) The state board may, at its sole discretion, waive payment by a public water system of all or any part of the invoice or penalty.

Section 116625. Revocation and suspension of permits states:

(a) The state board, after providing notice to the permittee and opportunity for a hearing, may suspend or revoke any permit issued pursuant to this chapter if the state board determines pursuant to the hearing that the permittee is not complying with the permit, this chapter, or any regulation, standard, or order issued or adopted thereunder, or that the permittee has made a false statement or representation on any application, record, or report maintained or submitted for purposes of compliance with this chapter. If the permittee does not request a hearing within the period specified in the notice, the state board may suspend or revoke the permit without a hearing. If the permittee submits a timely request for a hearing, the hearing shall be before the state board or a member of the state board, in accordance with Section 183 of the Water Code and the rules for adjudicative proceedings adopted under Section 185 of the Water Code. If the permit at issue has been temporarily suspended pursuant to subdivision (b), the notice shall be provided within 15 days of the effective date of the temporary suspension order. The commencement of the hearing under this subdivision shall be as soon as practicable, but no later than 60 days after the effective date of the temporary suspension order, unless the state board grants an extension of the 60 day period upon request of the permittee.

(b) The state board may temporarily suspend any permit issued pursuant to this chapter before any hearing when the action is necessary to prevent an imminent or substantial danger to health. The state board shall notify the permittee of the temporary suspension and the effective date of the temporary suspension and, at the same time, notify the permittee that a hearing has been scheduled. The hearing shall be held as soon as possible, but not later than 15 days after the effective date of the temporary suspension unless the state board grants an extension of the 15 day period upon request of the permittee, and shall deal only with the issue of whether the temporary suspension shall remain in place pending a hearing under subdivision (a). The hearing shall be conducted under the rules for adjudicative proceedings adopted by the state board under Section 185 of the Water Code. The temporary suspension shall remain in effect until the hearing under this subdivision is completed and the state board has made a final determination on the temporary suspension, which shall be made within 15 days after the completion of the hearing unless the state board grants an extension of the 15 day period upon request of the permittee. If the determination is not transmitted within 15 days after the hearing is completed, or any extension of this period requested by the permittee, the temporary suspension shall be of no further effect. Dissolution of the temporary suspension does not deprive the state board of jurisdiction to proceed with a hearing on the merits under subdivision (a).

Section 116650. Citations states:

(a) If the state board determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the state board may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The state board may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation and shall be in addition to any liability or penalty imposed under any other law.

Section 116655. Orders states:

- (a) Whenever the state board determines that any person has violated or is violating this chapter, or any order, permit, regulation, or standard issued or adopted pursuant to this chapter, the state board may issue an order doing any of the following:
 - (1) Directing compliance forthwith.
 - (2) Directing compliance in accordance with a time schedule set by the state board.
 - (3) Directing that appropriate preventive action be taken in the case of a threatened violation.
- (b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:
 - (1) That the existing plant, works, or system be repaired, altered, or added to.
 - (2) That purification or treatment works be installed.
 - (3) That the source of the water supply be changed.
 - (4) That no additional service connection be made to the system.
 - (5) That the water supply, the plant, or the system be monitored.
 - (6) That a report on the condition and operation of the plant, works, system, or water supply be submitted to the state board.

Section 116701. Petitions to Orders and Decisions states:

- (a)
 - (1) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration.
 - (2) Within 30 days of issuance of an order or decision under authority delegated to an officer or employee of the state board under Section 116540, the applicant may petition the state board for reconsideration.
 - (3) Within 30 days of final action by an officer or employee of the state board acting under delegated authority, the owner of a laboratory that was the subject of the final action may petition the state board for reconsideration of any of the following actions:
 - (A) Denial of an application for certification or accreditation under Section 100855.
 - (B) Issuance of an order directing compliance under Section 100875.
 - (C) Issuance of a citation under Section 100880.
 - (D) Assessment of a penalty under subdivision (e) of Section 100880.
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.
- (c) The evidence before the state board shall consist of the record before the officer or employee who issued the order or decision and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.
- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision subject to the petition for reconsideration.
- (f) If an order or decision is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 100920.5 or 116700.

California Code of Regulations (CCR), Title 22, states in relevant part:

§64652. Treatment Technique Requirements and Compliance Options.

- (a) A supplier using an approved surface water shall provide multibarrier treatment that meets the requirements of this chapter and reliably ensures at least, between a point where the raw water is not subject to recontamination by surface water runoff and a point downstream before or at the first customer:
 - (1) A total of 99.9 percent reduction of *Giardia lamblia* cysts through filtration and disinfection;
 - (2) A total of 99.99 percent reduction of viruses through filtration and disinfection; and
 - (3) A total of 99 percent removal of *Cryptosporidium* through filtration.
- (b) A supplier meeting the requirements of section 64654 in combination with either section 64652.5 or 64653 shall be deemed to be in compliance with the minimum reduction requirements specified in subsections (a)(1) and (a)(2).
- (c) A supplier meeting the requirements of section 64652.5 or 64653 shall be deemed to be in compliance with the minimum removal requirement specified in subsection (a)(3).
- (d) A supplier serving 10,000 or more persons shall not begin construction of an uncovered finished water storage facility. If a supplier serving fewer than 10,000 persons began construction of a finished water reservoir on or after March 15, 2002, the reservoir shall be covered.

(e) A supplier that uses conventional or direct filtration treatment and recycles spent filter backwash water, thickener supernatant, or liquids from dewatering processes shall comply with the recycle requirement of section 64653.5(b).

(f) A supplier shall comply with the disinfection profiling and benchmarking requirements of section 64656.5.

(g) A supplier shall comply with the treatment technique and microbial toolbox component requirements specified in sections 64650(f)(1) and (2).

(h) No variances from the requirements in this section are permitted.

§64652.5. Criteria for Avoiding Filtration.

(a) A supplier that uses an approved surface water shall meet all of the requirements of this section to avoid the necessity of providing filtration. Within 18 months of the failure of a supplier using an approved surface water to meet any one of the requirements of subsections (b) through (l), the supplier shall have installed filtration and meet the requirements for filtered systems specified in sections 64653, 64658, 64659, 64660, and 64661.

(b) The approved surface water quality shall be monitored downstream of all surface water and groundwater under the influence of surface water contributions and upstream of the first or only point of disinfectant application, as follows:

(1) For fecal or total coliform density at the following minimum frequency each week:

System size (persons served)	Samples/week
≤ 500	1
501-3,300	2*
3,301-10,000	3*
10,001-25,000	4*
> 25,000	5*

*Shall be taken on separate days.

(2) For fecal or total coliform density, once every day the turbidity of the source water exceeds 1 NTU unless the State Board determines that the system, for logistical reasons outside the system's control, is unable to have the sample analyzed within 30 hours of collection. If collected, these samples count toward the weekly coliform sampling requirement; and

(3) For turbidity at a minimum frequency of once every four hours. A supplier may substitute continuous turbidity monitoring for grab sample monitoring if, at regular intervals, it validates the accuracy of the continuous measurement using a protocol approved by the State Board.

(c) The approved surface water quality monitored pursuant to subsection (b) shall meet the following criteria:

(1) The fecal coliform concentration shall be equal to or less than 20/100 mL, or the total coliform concentration shall be equal to or less than 100/100 mL, in representative samples of the approved surface water in at least 90 percent of the measurements made for the six previous months that the system served unfiltered approved surface water to the public on an ongoing basis. If a system measures both fecal and total coliforms, the fecal coliform criterion, not the total coliform criterion, in this paragraph shall be met; and

(2) The turbidity level shall not exceed 5 NTU in representative samples of the approved surface water unless:

(A) The State Board determines that any such event was caused by circumstances that were unusual and unpredictable; and

(B) As a result of any such event, there have not been more than two events in the past 12 months the system served unfiltered approved surface water to the public, or more than five events in the past 120 months the system served unfiltered approved surface water to the public, in which the turbidity level exceeded 5 NTU. An "event" is one day or a series of consecutive days during which at least one turbidity measurement each day exceeds 5 NTU.

(d) Water quality information collected pursuant to subsection (a) shall be reported to the State Board in conformance with the requirements of 40 CFR section 141.75(a)(1) (54 Fed. Reg. 27486; (June 29, 1989)), which is incorporated by reference.

(e) The supplier shall maintain a watershed control program which minimizes the potential for contamination by *Giardia lamblia* cysts, viruses, and *Cryptosporidium* oocysts in the source water. The adequacy of the program to limit potential contamination by *Giardia lamblia* cysts, viruses, and *Cryptosporidium* oocysts shall be determined by: the comprehensiveness of the watershed review; the effectiveness of the supplier's program to monitor and control detrimental activities occurring in the watershed; and the extent to which the water system has maximized land ownership and/or controlled land use within the watershed. At a minimum, the watershed control program shall:

(1) Characterize the watershed hydrology and land ownership;

(2) Identify watershed characteristics and activities which may have an adverse effect on source water quality;

(3) Monitor the occurrence of activities which may have an adverse effect on source water quality. The supplier shall demonstrate through ownership and/or written agreements with landowners within the watershed that it can control all human activities which may have an adverse impact on the microbiological quality of the water. The supplier shall submit an annual

report to the State Board that identifies any special concerns about the watershed and how they are being handled; describes activities in the watershed that affect water quality; and projects what adverse activities are expected to occur in the future and how the public water system expects to address them; and

(4) Monitor the presence of *Giardia lamblia* cysts in the approved surface water whenever agricultural grazing, water oriented recreation, or point source domestic wastewater discharges occur on the watershed. At a minimum the monitoring shall measure the *Giardia lamblia* cyst concentration monthly at a point immediately prior to the first or only point of disinfectant application. The monitoring results shall be included in an annual report to the State Board. This monitoring requirement may be waived after one year for a supplier serving fewer than 500 persons when the monitoring results indicate a mean *Giardia lamblia* cyst concentration of 1 cyst per 100 liters or less.

(f) The water system shall be subject to an annual on-site inspection to assess the watershed control program and disinfection treatment process. Either the State Board or a party approved by the State Board shall conduct the on-site inspection. The inspection shall be conducted by competent individuals who have a sound understanding of public health principles and waterborne diseases, such as sanitary engineers, civil engineers, environmental health specialists, or technicians who have experience and knowledge about the operation and maintenance of a public water system. A report of the on-site inspection summarizing all findings shall be prepared every calendar year and submitted to the State Board, if not conducted by the State Board, by December 31 of that year. The on-site inspection shall be comprehensive to enable the State Board to determine whether the watershed control program and disinfection treatment process are adequately designed and maintained. The on-site inspection shall include:

- (1) A review of the effectiveness of the watershed control program;
- (2) A review of the physical condition of the source intake and how well it is protected;
- (3) A review of the supplier's equipment maintenance program to ensure there is low probability for failure of the disinfection process;
- (4) An inspection of the disinfection equipment for physical deterioration;
- (5) A review of operating procedures;
- (6) A review of data records to ensure that all required tests are being conducted and recorded and disinfection is effectively practiced; and
- (7) Identification of any improvements which are needed in the equipment, system maintenance and operation, or data collection.

(g) The water system shall not have been identified as a source of a waterborne microbial disease outbreak, or if it has been so identified, the system shall have been modified sufficiently to prevent another such occurrence, as determined by the State Board.

(h) The water system shall comply with the total coliform maximum contaminant level (MCL) specified in 22 CCR section 64426.1 at least 11 of the 12 previous months that the system served water to the public on an ongoing basis, unless the State Board determines that failure to meet this requirement was not caused by the unfiltered approved surface water.

(i) The water system shall comply with the requirements for total trihalomethanes, haloacetic acids (five), bromate, chlorite, chlorine, chloramines, and chlorine dioxide specified in 22 CCR, division 4, chapter 15.5, commencing with section 64530.

(j) The supplier shall provide to the State Board an annual report, by December 31st of each year, which summarizes its compliance with all the watershed control program requirements.

(k) The water system shall meet the following special disinfection requirements:

(1) The water system shall not fail to provide disinfection treatment sufficient to ensure at least a 99.9 percent inactivation of *Giardia lamblia* cysts and a 99.99 percent inactivation of viruses for more than one day in any month the water system served unfiltered approved surface water. The means used to demonstrate the required percent inactivation with disinfection shall be in conformance with the requirements of 40 CFR sections 141.72(a)(1), and 141.74(b)(3) and (b)(4) (54 Fed. Reg. 27486 (June 29, 1989)), which are incorporated by reference. Disinfection information collected pursuant to this subsection shall be reported to the State Board in conformance with the requirements of 40 CFR section 141.75(a)(2) (54 Fed. Reg. 27486 (June 29, 1989)), which are incorporated by reference. The necessity to install filtration as a result of a failure to meet the requirements in subsection (c) will not apply if:

(A) Either the supplier meets the requirements of subsection (c) at least 11 of the 12 previous months that the system served unfiltered approved surface water to the public on an ongoing basis; or

(B) The system fails to meet the requirements of subsection (c) during 2 of the 12 previous months that the system served unfiltered approved surface water to the public; and

(C) The State Board determines that failure to meet the requirements in subsection (c) for at least one of these months was caused by circumstances that were unusual and unpredictable.

(2) The disinfection system shall have either:

(A) Redundant components, including an auxiliary power supply with automatic start-up and alarm to ensure that disinfectant application is maintained continuously while water is being delivered to the distribution system; or

(B) Automatic shut-off of delivery of water to the distribution system whenever there is less than 0.2 mg/L of residual disinfectant concentration in the water.

(3) The water system shall meet the requirements of section 64654(b)(1) at all times the system serves unfiltered approved surface water to the public unless the State Board determines that any such failure was caused by circumstances that were unusual and unpredictable; and

(4) The water system shall meet the requirements of section 64654(b)(2) on an ongoing basis unless the State Board determines that failure to meet these requirements was not caused by a deficiency in treatment of the unfiltered approved surface water.

(l) Whenever the monitoring of the quality of the approved surface water indicates the turbidity exceeds 5.0 NTU, or the fecal coliform level exceeds 20/100 mL or the total coliform concentration exceeds 100/100 mL in 10 percent or more of the samples collected in the previous six months during which the system served unfiltered approved surface water to the public on an ongoing basis, the source shall be removed from service. The source may be returned to service when monitoring subsequent to removing the source from service demonstrates that the turbidity is less than or equal to 5.0 NTU and the fecal coliform level is less than or equal to 20/100 mL or the total coliform level is less than or equal to 100/100 mL for two consecutive days, and *Giardia lamblia* monitoring results indicate 1 cyst per 100 liters or less. If a system measures both fecal and total coliforms, the fecal coliform criterion, not the total coliform criterion, in this subsection shall be met.

§64653. Filtration:

(a) All approved surface water utilized by a supplier shall be treated using one of the following filtration technologies unless an alternative process has been approved by the State Board pursuant to subsections (e), (f), (g) and (h):

- (1) Conventional filtration treatment;
- (2) Direct filtration treatment;
- (3) Diatomaceous earth filtration; or
- (4) Slow sand filtration.

(b) Conventional filtration treatment shall be deemed to be capable of achieving at least 99.7 percent removal of *Giardia lamblia* cysts, 99 percent removal of viruses, and 99 percent removal of *Cryptosporidium* when in compliance with operating criteria specified in section 64660 and performance standards specified in table 64653. Direct filtration treatment, diatomaceous earth filtration, and slow sand filtration shall be deemed to be capable of achieving at least 99 percent removal of *Giardia lamblia* cysts, 90 percent removal of viruses, and 99 percent removal of *Cryptosporidium* when in compliance with operating criteria specified in section 64660 and performance standards specified in table 64653.

(c) A supplier shall comply with the combined filter effluent turbidity performance standards in table 64653 for each treatment plant while the plant is in operation:

Table 64653
Combined Filter Effluent Turbidity Performance Standards^(a)

<i>If a supplier uses...</i>	<i>The turbidity level of the combined filter effluent...</i>
(1) Conventional or direct filtration treatment and serves 10,000 or more persons	<p>(A) Shall be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month;</p> <p>(B) Shall not exceed 1 NTU for more than one continuous hour;</p> <p>(C) Shall not exceed 1 NTU at four-hour intervals; and</p> <p>(D) Shall not exceed 1.0 NTU for more than eight consecutive hours.</p>
(2) Conventional or direct filtration treatment and serves fewer than 10,000 persons	<p>(A) Shall be less than or equal to 0.3 NTU in at least 95 percent of the measurements taken each month;</p> <p>(B) For a supplier using a grab sample monitoring program:</p> <ol style="list-style-type: none"> 1. Shall not exceed 1 NTU; and 2. Shall not exceed 1.0 NTU in more than two consecutive samples; and <p>(C) For a supplier using a continuous monitoring program:</p> <ol style="list-style-type: none"> 1. If recording results at least once every 15 minutes, shall comply with paragraph (1)(B); and 2. Shall comply with paragraphs (1)(C) and (1)(D).
(3) Diatomaceous earth filtration	<p>(A) Shall be less than or equal to 0.5 NTU in at least 95 percent of the measurements taken each month;</p> <p>(B) Shall not exceed 5.0 NTU;</p> <p>(C) For a supplier using a grab sample monitoring program, shall comply with paragraph (2)(B)2; and</p>

(D) For a supplier using a continuous monitoring program, shall comply with paragraph (1)(D).

(4) Slow sand filtration

(A) Shall be less than or equal to 1.0 NTU in at least 95 percent of the measurements taken each month. Filtered water from the treatment plant may exceed 1.0 NTU, provided the filter effluent prior to disinfection meets the maximum contaminant level for total coliforms as specified in 22 CCR section 64426.1; and

(B) Shall not exceed 5.0 NTU.

(a) If there is only one filter at the treatment plant, the combined filter effluent turbidity performance standards shall apply to the effluent produced by the filter.

(d) To obtain approval for a higher removal efficiency than that specified in subsection (b), a water supplier shall demonstrate to the State Board that the higher removal efficiency can be reliably obtained.

(e) An alternative to the filtration technologies specified in subsection (a) may be used provided that the supplier demonstrates to the State Board that the alternative technology:

(1) Provides a minimum of 99 percent *Giardia lamblia* cyst removal, 90 percent virus removal for the suppliers

serving more than 500 persons, and 99 percent *Cryptosporidium* removal; and

(2) Meets the turbidity performance standards established by the State Board, as determined from the alternative filtration technology demonstration conducted pursuant to subsection (f). The turbidity performance standards shall not be less stringent than the turbidity performance standards established in subsection (c)(1).

(f) The alternative filtration technology demonstration shall be based on the results from a prior equivalency demonstration or a testing of a full scale installation that is treating a water with similar characteristics and is exposed to similar hazards as the water proposed for treatment. A pilot plant test of the water to be treated may also be used for this demonstration if conducted with the approval of the State Board. The demonstration shall be presented in an engineering report prepared by a qualified engineer.

(g) A supplier proposing to use an alternative filtration technology may request from the State Board a waiver to comply with the requirements of subsection (e) to demonstrate 90 percent virus removal. The request shall be based on a watershed sanitary survey conducted in accordance with section 64665, within 12 months of the date of the request, that demonstrates a lack of virus hazard in the watershed.

(h) The State Board's approval of alternative filtration technologies, including establishment of performance standards and monitoring requirements, shall be done in accordance with the permit process specified in sections 116525 through 116550 of the Health and Safety Code.

(i) Within 60 days following the first full year of operation of a new alternative filtration treatment process approved by the State Board, the supplier shall submit an engineering report prepared by a qualified engineer describing the effectiveness of the plant operation. The report shall include results of all water quality tests performed and shall evaluate compliance with established performance standards under actual operating conditions. It shall also include an assessment of problems experienced, corrective actions needed, and a schedule for providing needed improvements.

§64654. Disinfection:

(a) All approved surface water utilized by a supplier shall be provided with continuous disinfection treatment sufficient to insure that the total treatment process provides inactivation of *Giardia lamblia* cysts and viruses, in conjunction with the removals obtained through filtration, to meet the reduction requirements specified in section 64652(a).

(b) Disinfection treatment shall comply with the following performance standards:

(1) Water delivered to the distribution system shall not contain a disinfectant residual of less than 0.2 mg/l for more than four hours in any 24 hour period.

(2) The residual disinfectant concentrations of samples collected from the distribution system shall be detectable in at least 95 percent of the samples taken each month that the system serves water to the public, except as provided in subsection (c). At any sample point in the distribution system, the presence of heterotrophic plate count (HPC) at concentrations less than or equal to 500 colony forming units per milliliter shall be considered equivalent to a detectable disinfectant residual.

(c) Paragraph (b)(2) shall not apply to suppliers serving fewer than 500 persons provided:

(1) The system is in compliance with 17 CCR sections 7583 through 7605, and with 22 CCR sections 64602 and 64570(b), 64572, and 64580;

(2) The supplier has no means for having a sample transported and analyzed for HPC by a certified laboratory under the appropriate time and temperature conditions; and

(3) The supplier is providing adequate disinfection in the distribution system.

(d) No exemptions from the requirement in paragraph (b)(1) are permitted.

Article 8. Public Notification

§64666. Consumer Notification.

(a) For water systems that filter approved surface water, the supplier shall notify persons served by the system whenever there is a failure to comply with any of the treatment requirements specified in sections 64652, 64653, 64653.5(b), and 64654(a) or performance standards specified in sections 64653(c) and (h) and 64654(b).

(b) For water systems that do not filter approved surface water, the supplier shall notify persons served by the system whenever:

(1) There is a failure to comply with sections 64652.5(b) through (k), sections 64652 and 64654(a), or section 64654(b);

(2) The turbidity level in a representative sample of the approved surface water immediately prior to the first or only point of disinfectant application exceeds 5 NTU; or

(3) The unfiltered approved surface water has been identified as a source of waterborne microbial disease outbreak.

(c) The notification required by either subsections (a) or (b) shall be given in accordance with sections 64463.1(a)(4) or 64463.4(a)(1), as required.

(d) For water systems that filter approved surface water, the supplier shall notify persons served by the system whenever there is a failure to comply with the monitoring requirements specified in sections 64655 or 64656. The notification shall be given in accordance with section 64463.7.

(e) For water systems that do not filter approved surface water, the supplier shall notify persons served by the system whenever there is a failure to comply with the monitoring requirements specified in sections 64652.5(b), (d), or (e), or 64656. The notification shall be given in accordance with section 64463.7.

(f) If a supplier is unable to remove a source from service pursuant to section 64652.5(l), the supplier shall notify the State Board immediately, and notify persons served by the system pursuant to section 64463.1.

(g) A supplier shall comply with the public notification and special notice requirements of section 64650(f)(1).

§64463.4. Tier 2 Public Notice.

(a) A water system shall give public notice pursuant to this section if any of the following occurs:

(1) Any violation of the MCL, MRDL, and treatment technique requirements, except:

(A) Where a Tier 1 public notice is required under section 64463.1; or

(B) Where the State Board determines that a Tier 1 public notice is required, based on potential health impacts and persistence of the violations;

(2) All violations of the monitoring and testing procedure requirements in sections 64421 through 64426.1, article 3 (Primary Standards – Bacteriological Quality), for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations;

(3) Other violations of the monitoring and testing procedure requirements in this chapter, and chapters 15.5, 17 and 17.5, for which the State Board determines that a Tier 2 rather than a Tier 3 public notice is required, based on potential health impacts and persistence of the violations; or

(4) Failure to comply with the terms and conditions of any variance or exemption in place.

(b) A water system shall give the notice as soon as possible within 30 days after it learns of a violation or occurrence specified in subsection (a), except that the water system may request an extension of up to 60 days for providing the notice. This extension would be subject to the State Board's written approval based on the violation or occurrence having been resolved and the State Board's determination that public health and welfare would in no way be adversely affected. In addition, the water system shall:

(1) Maintain posted notices in place for as long as the violation or occurrence continues, but in no case less than seven days;

(2) Repeat the notice every three months as long as the violation or occurrence continues. Subject to the State Board's written approval based on its determination that public health would in no way be adversely affected, the water system may be allowed to notice less frequently but in no case less than once per year. No allowance for reduced frequency of notice shall be given in the case of a total coliform MCL violation or violation of a Chapter 17 treatment technique requirement; and

(3) For turbidity violations pursuant to sections 64652.5(c)(2) and 64653(c), (d) and (f), as applicable, a water system shall consult with the State Board as soon as possible within 24 hours after the water system learns of the violation to determine

whether a Tier 1 public notice is required. If consultation does not take place within 24 hours, the water system shall give Tier 1 public notice within 48 hours after learning of the violation.

(c) A water system shall deliver the notice, in a manner designed to reach persons served, within the required time period as follows:

(1) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, community water systems shall give public notice by:

(A) Mail or direct delivery to each customer receiving a bill including those that provide their drinking water to others (e.g., schools or school systems, apartment building owners, or large private employers), and other service connections to which water is delivered by the water system; and

(B) Use of one or more of the following methods to reach persons not likely to be reached by a mailing or direct delivery (renters, university students, nursing home patients, prison inmates, etc.):

1. Publication in a local newspaper;
2. Posting in conspicuous public places served by the water system, or on the Internet; or
3. Delivery to community organizations.

(2) Unless otherwise directed by the State Board in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:

(A) Posting in conspicuous locations throughout the area served by the water system; and

(B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:

1. Publication in a local newspaper or newsletter distributed to customers;
2. E-mail message to employees or students;
3. Posting on the Internet or intranet; or
4. Direct delivery to each customer.

§64465. Public Notice Content and Format:

(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:

(1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);

(2) The date(s) of the violation or occurrence;

(3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;

(4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;

(5) Whether alternative water supplies should be used;

(6) What actions consumers should take, including when they should seek medical help, if known;

(7) What the water system is doing to correct the violation or occurrence;

(8) When the water system expects to return to compliance or resolve the occurrence;

(9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;

(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail."; and

(11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [*compliance period dates*], we [*did not monitor or test*' or '*did not complete all monitoring or testing*'] for [*contaminant(s)*], and therefore, cannot be sure of the quality of your drinking water during that time."

(b) A Tier 3 public notice for a water system operating under a variance or exemption shall include the elements in this subsection. If a water system has violated its variance or exemption conditions, the public notice shall also include the elements in subsection (a).

(1) An explanation of the reasons for the variance or exemption;

(2) The date on which the variance or exemption was issued;

(3) A brief status report on the steps the water system is taking to install treatment, find alternative sources of water, or otherwise comply with the terms and schedules of the variance or exemption; and

(4) A notice of any opportunity for public input in the review of the variance or exemption.

(c) A public water system providing notice pursuant to this article shall comply with the following multilingual-related requirements:

(1) For a Tier 1 public notice:

(A) The notice shall be provided in English, Spanish, and the language spoken by any non-English-speaking group exceeding 10 percent of the persons served by the public water system, and the notice shall include a telephone number or address where such individuals may contact the public water system for assistance; and

(B) If any non-English-speaking group exceeds 1,000 persons served by the public water system, but does not exceed 10 percent served, the notice shall include information in the appropriate language(s) regarding the importance of the notice, and the telephone number or address where such individuals may contact the public water system to obtain a translated copy of the notice from the public water system or assistance in the appropriate language;

(2) For a Tier 2 or Tier 3 public notice:

(A) The notice shall contain information in Spanish regarding the importance of the notice, or contain a telephone number or address where Spanish-speaking residents may contact the public water system to obtain a translated copy of the notice or assistance in Spanish; and

(B) When a non-English speaking group other than Spanish-speaking exceeds 1,000 residents or 10 percent of the residents served by the public water system, the notice shall include:

1. Information in the appropriate language(s) regarding the importance of the notice; or

2. A telephone number or address where such residents may contact the public water system to obtain a translated copy of the notice or assistance in the appropriate language; and

(3) For a public water system subject to the Dymally-Alatorre Bilingual Services Act, Chapter 17.5, Division 7, of the Government Code (commencing with section 7290), meeting the requirements of this Article may not ensure compliance with the Dymally-Alatorre Bilingual Services Act.

(d) Each public notice given pursuant to this article shall:

(1) Be displayed such that it catches people's attention when printed or posted and be formatted in such a way that the message in the public notice can be understood at the eighth-grade level;

(2) Not contain technical language beyond an eighth-grade level or print smaller than 12 point; and

(3) Not contain language that minimizes or contradicts the information being given in the public notice.

APPENDIX 2. NOTIFICATION TEMPLATE

Date:

BOIL WATER NOTICE

Este informe contiene información muy importante sobre su agua potable.
Tradúzcalo o hable con alguien que lo entienda bien.

BOIL YOUR WATER BEFORE USING

Failure to follow this advisory could result in stomach or intestinal illness.

The Slate Mountain Homeowners Association water system is providing surface water which cannot be demonstrated as complying with treatment requirements. The State Water Resources Control Board, Division of Drinking Water and the [Slate Mountain Homeowners Association water system](#) are advising residents of Slate Mountain Homeowners Association water system to use boiled tap water or bottled water for drinking and cooking purposes as a safety precaution.

DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST. Bring all water to a boil, **let it boil for one (1) minute**, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking and food preparation **until further notice**. [Boiling kills bacteria and other organisms in the water.](#)

We will inform you when tests show that water is safe to drink and you no longer need to boil your water. We anticipate resolving the problem by July 10, 2020.

For more information call:

Water Utility contact: [Debra Frank at 559-542-2289](#)

State Water Resources Control Board – Drinking Water Field Operations Branch- Tulare District Office at [\(559\) 447-3300](#).

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

APPENDIX 3
CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

Compliance Order Number: 03-24-18R-001

Name of Water System: Slate Mountain Home Owners Association

System Number: 5403073

Attach a copy of the public notice distributed to the water system's customers.

This form, when completed and sent to dwpdist24@waterboards.ca.gov for the Division of Drinking Water, Tulare District, 265 W. Bullard Avenue, Suite 101, Fresno, CA 93704 serves as certification that public notification to water users was completed as required by Title 22, California Code of Regulations, Sections 64463-64465.

Public notification for failure to comply with the **Surface Water Treatment Rule** was conducted on:

Notification was made on _____ (date).

For the _____ [Insert month or quarter and year].

To summarize report delivery used and good-faith efforts taken, please check all items below that apply and fill-in where appropriate:

For Community and non-transient non-community public water systems

☐ The notice was distributed by mail or direct delivery to each customer on: _____

One or more of the following methods were used to reach persons not likely to be reached by a mailing or direct delivery or persons served by a transient public water system (renters, nursing home patients, prison inmates, etc.):

☐ Posted the notice at the following conspicuous locations served by the water system. (If needed, please attach a list of locations). _____

☐ Publication of the notice in a local newspaper or newsletter of general circulation (attach a copy of the published notice, including name of newspaper and date published).

☐ Posted the notice on the Internet at www. _____

☐ Other method used to notify customers. _____

I hereby certify that the above information is factual.

Certified by: Printed Name _____ Title _____

Signature _____

Date _____

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment

APPENDIX 4: QUARTERLY PROGRESS REPORT

Water System: Monarch Nut Company	Water System No: 5403073
Compliance Order No: 03-24-18R-001	Violation: SWTR
Calendar Quarter:	Date:

This form should be prepared and signed by Water System personnel with appropriate authority to implement the directives of the Compliance Order and the Corrective Action Plan. Please attach additional sheets as necessary. The quarterly progress report must be submitted by the 10th day of each subsequent quarter, to the Division of Drinking Water, Tulare District Office to the following email address: dwpdist24@waterboards.ca.gov titled appropriately.

Summary of Compliance Plan:

--

Tasks completed in the reporting quarter:

--

Tasks remaining to complete:

--

Anticipated compliance date:

--

Printed Name

Signature

Title

Date

APPENDIX 5 – NOTIFICATION OF RECEIPT

Compliance Order Number: 03-24-18R-001

Name of Water System: Slate Mountain Home Owners Association

System Number: 5403073

Certification

I certify that I am an authorized representative of the Slate Mountain Home Owners Association and that Compliance Order No. **03-24-18R-001** was received on _____. Further I certify that the Order has been reviewed by the appropriate management staff of the Slate Mountain Home Owners Association and it is clearly understood that Compliance Order No. **03-24-18R-001** contains legally enforceable directives with specific due dates.

Signature of Water System Representative

Date

<p>THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN August 10, 2018.</p>

Disclosure: Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.